

APPLICATION NO. NC17536 (NOKI02-17536)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Clive Tang  
U.S. Serial No. : 09/901,988  
Filed : July 10, 2001  
For : APPARATUS, AND ASSOCIATED METHOD, FOR  
SELECTING A SWITCHING THRESHOLD FOR A  
TRANSMITTER UTILIZING ADAPTIVE MODULATION  
TECHNIQUES  
Group No. : 2182  
Examiner : (Not Yet Assigned)

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

Sir:

The undersigned hereby certifies that the following documents:

1. Response to Missing Parts of Application (in duplicate);
2. Declaration and Power of Attorney;
3. Check in the amount of \$130.00 for the Missing Parts surcharge;
4. Copy of the Notice to File Missing Parts of Application
5. Request for Corrected Official Filing Receipt;
6. Redlined copy of the Official Filing Receipt; and
7. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Box MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on 9/18/01.

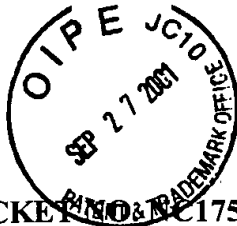
Date: 9/18/01

Kathy Longenecker  
Mailer

Date: 18 Sep 01

Robert H. Kelly  
Robert H. Kelly  
Reg. No. 33,922

P.O. Box 802432  
Dallas, Texas 75380  
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Group No. : 2182  
Examiner : (Not Yet Assigned)

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Commissioner for Patents  
Washington, D. C. 20231

Sir:

**RESPONSE TO MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application dated August 28, 2001,  
attached are the following documents:

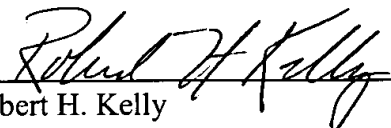
1. Certificate of Mailing by First Class Mail;
2. Declaration and Power of Attorney;
3. Our firm's check in the amount of \$130.00 to cover the Missing Parts surcharge;
4. A copy of the Notice to File Missing Parts of Application;
5. Request for Corrected Official Filing Receipt;
6. Redlined copy of Official Filing Receipt; and
7. Our postcard receipt.

The Commissioner is hereby authorized to charge any additional fees which may be required,  
or credit any overpayment to Novakov Davis Deposit Account No. 50-0208.

Respectfully submitted,

NOVAKOV DAVIS & MUNCK, P.C.

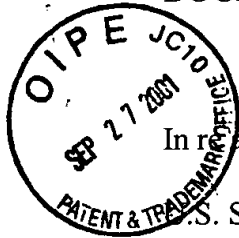
Date: 18 Sep 01

  
Robert H. Kelly  
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Group No. : 2182

Examiner : (Not Yet Assigned)

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D. C. 20231

Sir:

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

In reviewing the file, it has been noted that the Official Filing Receipt contains a typographical error in **Attorney Docket Number**. The **Attorney Docket Number** should be corrected to read as follows:

-- NC17536 --

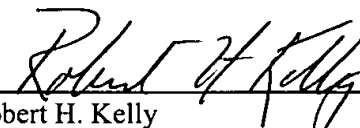
A redlined copy of the Official Filing Receipt is attached. Once the correction is made, please forward a new filing receipt to the undersigned attorney at the below identified address.

Further, as this correction is not due to any error by Applicant, no fee is due.

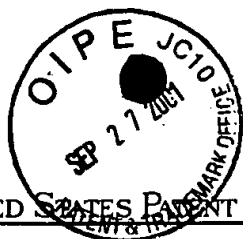
Respectfully submitted,

NOVAKOV DAVIS & MUNCK, P.C.

Date: 18 Sep 01

  
Robert H. Kelly  
Registration No. 33,922

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/901,988	07/10/2001	2182	710	NC 17547-17536 (NOKI02-17536)	4	20	2

CONFIRMATION NO. 7923

## FILING RECEIPT



\*OC000000006484740\*

NOVAKOV DAVIS & MUNCK  
A PROFESSIONAL CORPORATION  
900 THREE GALLERIA TOWER  
13155 NOEL ROAD  
DALLAS, TX 75240

Date Mailed: 08/28/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Clive Tang, Irving, TX;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/751,640 12/29/2000  
AND CLAIMS BENEFIT OF 60/250,242 11/30/2000

## Foreign Applications

If Required, Foreign Filing License Granted 08/27/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title

Apparatus, and associated method, for selecting a switching threshold for a transmitter utilizing adaptive modulation techniques

RECEIVED

SEP - 4 2001

NOVAKOV DAVIS &amp; MUNCK

DOCKETED

SEP - 9 2001

Preliminary Class  
713

Data entry by : MANALAC, AMELIA

Team : OIPE

Date: 08/28/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

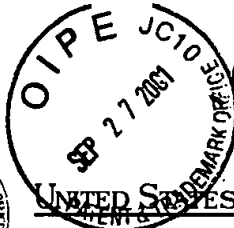
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/901,988	07/10/2001	Clive Tang	NC17547 (NOKI02-17536)

CONFIRMATION NO. 7923

## FORMALITIES LETTER



\*OC000000006484741\*

NOVAKOV DAVIS & MUNCK  
A PROFESSIONAL CORPORATION  
900 THREE GALLERIA TOWER  
13155 NOEL ROAD  
DALLAS, TX 75240

Date Mailed: 08/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

*Amelia Manalac*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/28/2001 NBERHE 00000084 09901988

01 FC:105

130.00 DP